



# Application For Variance

(Amended)

City of Key West, Florida • Planning Department

3140 Flagler Avenue • Key West, Florida 33040-4602 • 305-809-3720 • www.keywestcity.com

**Application Fee: \$1,150.00 / After-the-Fact: \$2,150.00**

(includes \$100.00 advertising/noticing fee and \$50.00 fire review fee)

Please complete this application and attach all required documents. This will help staff process your request quickly and obtain necessary information without delay. If you have any questions, please call 305-809-3720.

## PROPERTY DESCRIPTION:

Site Address: 1300 White Street, Key West, FL 33040

Zoning District: HPS Real Estate (RE) #: 0040100

Property located within the Historic District? ☒ Yes ☐ No

**APPLICANT:** ☐ Owner ☒ Authorized Representative

Name: Bender & Associates Architects, PA

Mailing Address: 410 Angela Street

City: Key West State: FL Zip: 33040

Home/Mobile Phone: \_\_\_\_\_ Office: 305-296-1347 Fax: \_\_\_\_\_

Email: blbender@bellsouth.net

## PROPERTY OWNER: (if different than above)

Name: City of Key West, Rep. Michael Vieux

Mailing Address: 3132 Flagler Avenue

City: Key West State: FL Zip: 33040

Home/Mobile Phone: \_\_\_\_\_ Office: 305-809-3964 Fax: \_\_\_\_\_

Email: mvieux@keywestcity.com

Description of Proposed Construction, Development, and Use: Request for major development plan and conditional use approval for adaptive reuse of historic School into new city government offices and commission chamber

## List and describe the specific variance(s) being requested:

Height - existing facade (pediment); proposed 2nd story connective walkway; New equipment enclosure (sound buffering).  
Impervious Surface - reduction of existing impervious surface still exceeds Code requirements.

Are there any easements, deed restrictions or other encumbrances attached to the property? ☒ Yes ☐ No

If yes, please describe and attach relevant documents: \_\_\_\_\_

School District Conveyance Agreement



Will any work be within the dripline (canopy) of any tree on or off the property?

☐ Yes ☐ No

If yes, provide date of landscape approval, and attach a copy of such approval.

Is this variance request for habitable space pursuant to Section 122-1078?

☐ Yes ☒ No

Please fill out the relevant Site Data in the table below. For Building Coverage, Impervious Surface, Open Space and F.A.R. provide square footages and percentages.

Site Data Table				
	Code Requirement	Existing	Proposed	Variance Request
Zoning	<del>HPS</del>			
Flood Zone	X			
Size of Site				
Height				
Pediment	25'	46.7'	NO CHANGE	21.7'
2nd Story Walkway	25'		35.5'	10.5'
Utility Enclosure	25'		36'	11'
Street Side Setback				
Rear Setback				
F.A.R				
Building Coverage				
Impervious Surface	50%	76.6%	65.9%*	10.7% (MAX)
Parking				
Handicap Parking				
Bicycle Parking				
Open Space/ Landscaping				
Number and type of units				
Consumption Area or Number of seats				

This application is reviewed pursuant to Section 90-391 through 90-397 of the City of Key West Land Development Regulations (LDRs). The City's LDRs can be found in the Code of Ordinances online at [http://www.municode.com/Library/FL/Key\\_West](http://www.municode.com/Library/FL/Key_West) under Subpart B.

\*Please note, variances are reviewed as quasi-judicial hearings, and it is improper for the owner or applicant to speak to a Planning Board member or City Commissioner about the hearing.

\* Please note: the greatest potential for variance has been claimed. Deviations between Architectural, civil, and Landscaping calculations are based on Final L&ED disposition, use of permeable pavement/geoweb pavers in parking areas, and placement of solar arrays in parking lot.



### Standards for Considering Variances

Before any variance may be granted, the Planning Board and/or Board of Adjustment must find all of the following requirements are met:

1. Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structures or buildings in the same zoning district.

Historic Glynn Archer School was conveyed to the City of Key West by the Monroe County School Board in 2012. The structure is unique in its architectural presence.

2. Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.

Built in 1923, the existing non-conforming structure was constructed prior to the adoption of applicable Code. The requested variances do not result from the actions or negligence of the applicant; they serve to enhance <sup>adaptive</sup> reuse.

3. Special privileges not conferred. That granting the variance(s) requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district.

The Glynn Archer property is unique; granting the variances will protect historic and architectural integrity while gracefully mitigating visual and impervious surface impacts.

4. Hardship conditions exist. That literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.

The applicant is obligated to preserve the non-conforming structure and to make improvements necessary for contemporary civic use and energy efficiency in addition to meeting ADA standards for accessibility.

5. Only minimum variance(s) granted. That the variance(s) granted is/are the minimum variance(s) that will make possible the reasonable use of the land, building or structure.

Existing: Pediment

Proposed: 2nd Story Connective Walkway

Proposed: New equipment enclosure

Existing (Reduced): Impervious surface



6. Not injurious to the public welfare. That granting of the variance(s) will be in harmony with the general intent and purpose of the land development regulations and that such variances will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.

Preservation of the historic non-conforming structure is beneficial to the public as a landmark centerpiece for the citizens of Key West.

The connective walkway has been designed in harmony w/ the existing structures; the utility enclosure provides sound proofing, and the reduction of impervious surface is further enhanced by the provision of pervious pavers in parking areas.

7. Existing nonconforming uses of other property shall not be considered as the basis for approval. That no other nonconforming use of neighboring lands, structures, or buildings in the same district, and that no other permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

The property is unique; no other non-conformities pertaining to other properties have been considered for this request. <sup>Further,</sup> the height variance requests comply with Charter Provision 1.05 and City Code Sections 86-9 and 122.1149; 2010 Florida Building Code Definitions (in part) see attached.

The Planning Board and/or Board of Adjustment shall make factual findings regarding the following:

- That the standards established in Section 90-395 have been met by the applicant for a variance.
- That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors. Please describe how you have addressed the "good neighbor policy."

**REQUIRED SUBMITTALS:** All of the following must be submitted in order to have a complete application. Please submit one paper copy and one electronic copy of all materials.

- ☒ Correct application fee. Check may be payable to "City of Key West."
- ☒ Notarized verification form signed by property owner or the authorized representative.
- ☒ Notarized authorization form signed by property owner, if applicant is not the owner.
- ☒ Copy of recorded warranty deed
- ☒ Property record card
- ☒ Signed and sealed survey
- ☒ Site plan (plans MUST be signed and sealed by an Engineer or Architect)
- ☒ Floor plans
- ☒ Stormwater management plan